

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
OFFICE OF THE CLERK
SACRAMENTO, CALIFORNIA 95814

FILED

DEC 17 2007

HONORABLE W. W. WIERKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SACRAMENTO, CA 95814

December 7, 2007

Clerk, US District Court
USDC Northern District of CA

Re: USA v. Sahli
CR S- 03-458 FCD(Eastern District of California)
CR CR 07-720 JW USDC Northern District of CA

Dear Sir/Madam:

Pursuant to the Transfer of Jurisdiction of probation/supervised release (form 22) having been filed in this district, the following documents are herewith forwarded for your records:

- XX CERTIFIED COPY OF INDICTMENT/INFORMATION
- XX CERTIFIED COPY OF THE TRANSFER ORDER
- XX CERTIFIED COPY OF THE DOCKET SHEET
- XX CERTIFIED COPY OF JUDGMENT AND SENTENCING


Please acknowledge receipt of the above documents on the photocopy of this letter and return in the enclosed self-addressed stamped envelope.

Very truly yours,
Victoria C. Minor, Clerk

By: K Carlos
K Carlos, Deputy Clerk

Date received: _____

Deputy Clerk: _____

PROB 22 TRANSFER OF JURISDICTION		DOCKET NUMBER (Tran. Court) 2:03CR 00458-01	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE Patrick J. SAHLI Carmel, California <div style="text-align: center;"> FILED DEC 6 - 2007 CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA BY <u> </u> DEPUTY CLERK </div>		<div style="font-size: 2em; font-weight: bold;">CR 07 00720 JW</div>	
		DOCKET NUMBER (Rec. Court) 07 NOV 15 AM 9:38 RICHARD L. WICKING U.S. DISTRICT COURT NO. 10	
		DISTRICT Eastern District of California	
		DIVISION Northern	
NAME OF SENTENCING JUDGE William B. Shubb United States District Judge		DATES OF PROBATION/ SUPERVISED RELEASE:	
TO 05/03/2010		ORIGINAL FILED	
OFFENSE 18 USC 1341 - Mail Fraud; 18 USC 1341 Mail Fraud			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA			
<p>IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the Northern District of California upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <u>10/17/2007</u> Date </div> <div style="text-align: center;">  United States District Judge </div> </div>			
<p>RESTITUTION: If this offender has an order of restitution which is to be paid jointly and severally, the offender shall send payments to the sentencing district Court Clerk's Office and no financial record shall be created in the receiving district.</p>			
<small>*This sentence may be deleted in the discretion of the transferring Court.</small>			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA			
<p>IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <u>11/05/07</u> Effective Date </div> <div style="text-align: center;"> <u>Ronald M. White</u> United States District Judge </div> <div style="text-align: center;"> <p>I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.</p> <p>ATTEST: VICTORIA C. MINOR Clerk, U.S. District Court Eastern District of California</p> </div> </div>			
CC: United States Attorney FLU Unit-United States Attorney's Office Fiscal Clerk-Clerk's Office		By <u>R. Carlson</u> Deputy Clerk Dated <u>12/17/07</u>	

FILED

AO 245B-CAED (Rev. 3/04) Sheet 1 - Judgment in a Criminal Case

JUL - 1 2004

United States District Court Eastern District of California

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

UNITED STATES OF AMERICA

v.

PATRICK J. SAHLI

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: **2:03CR00458-01****2:04CR00075-01**Hill C. Snellings, 813 Sixth St., Suite 450,
Sacramento, CA 95814

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s): 1 and 2 of the Indictment and Count 1 of the Information.
☐ pleaded nolo contendere to counts(s) ___ which was accepted by the court.
☐ was found guilty on count(s) ___ after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1341	Mail Fraud	6/7/01	1 (03CR458)
18 USC 1341	Mail Fraud	7/7/01	2 (03CR458)
18 USC 1341	Mail Fraud	3/1/02	1 (04CR075)

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on counts(s) ___ and is discharged as to such count(s).
☐ Count(s) ___ (is)(are) dismissed on the motion of the United States.
☐ Indictment is to be dismissed by District Court on motion of the United States.
☒ Appeal rights given. ☒ Appeal rights waived.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.

ATTEST: **VICTORIA C. MINOR**Clerk, U. S. District Court
Eastern District of CaliforniaBy BCarlin
Deputy ClerkDated: 12/17/07

6/23/04

Date of Imposition of Judgment

William B. Shubb
Signature of Judicial Officer

WILLIAM B. SHUBB, United States District Judge

Name & Title of Judicial Officer

6/30/2004
Date

AO 245B-CAED (Rev. 3/04) Sheet 2 - Imprisonment

CASE NUMBER: 2:03CR00458-01 & 2:04CR00075-01
DEFENDANT: PATRICK J. SAHLI

Judgment - Page 2 of 6

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 37 months on each of Counts 1 and 2 of Docket Number 03CR00458-01, and Count 1 of the Information in Docket Number 04CR00075-01, to be served concurrently for a total term of 37 months.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be incarcerated in a California facility, but only insofar as this accords with security classification and space availability.
- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
☐ at ___ on ____.
☐ as notified by the United States Marshal.
- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☒ before 2:00 pm on 8/12/04.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Officer.
If no such institution has been designated, to the United States Marshal for this district.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

AO 245B-CAED (Rev. 3/04) Sheet 3 - Supervised Release

CASE NUMBER: 2:03CR00458-01 & 2:04CR00075-01
 DEFENDANT: PATRICK J. SAHLI

Judgment - Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 36 months, on each of Counts 1 and 2 of Docket Number 03CR00458-01, and Count 1 of the Information in Docket Number 04CR00075-01, to be served concurrently for a total term of 36 months.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B-CAED (Rev. 3/04) Sheet 3 - Supervised Release

CASE NUMBER: 2:03CR00458-01 & 2:04CR00075-01
DEFENDANT: PATRICK J. SAHLI

Judgment - Page 4 of 6

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall submit to the search of his person, property, home, and vehicle by a United States Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer, based upon reasonable suspicion, without a search warrant. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
2. The defendant shall provide the probation officer with access to any requested financial information.
3. As directed by the probation officer, the defendant shall participate in a correctional treatment program (inpatient or outpatient) to obtain assistance for drug or alcohol abuse.
4. As directed by the probation officer, the defendant shall participate in a program of testing (i.e. breath, urine, sweat patch, etc.) to determine if he has reverted to the use of drugs or alcohol.
5. As directed by the probation officer, the defendant shall participate in a program of mental health treatment (inpatient or outpatient.)
6. As directed by the probation officer, the defendant shall participate in a co-payment plan for treatment or testing and shall make payment directly to the vendor under contract with the United States Probation Office of up to \$25 per month.

AO 245B-CAED (Rev. 3/04) Sheet 5 - Criminal Monetary Penalties

CASE NUMBER: 2:03CR00458-01 & 2:04CR00075-01
 DEFENDANT: PATRICK J. SAHLI

Judgment - Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 200 - 03CR458	\$	\$ 903,330.79
	\$ 100 - 04CR075		

☐ The determination of restitution is deferred until __. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Financial West Group 2663 Townsgate Road Westlake Village, CA 91361	\$249,727.00	\$249,727.00	
Kathleen Bradley	\$21,971.00	\$21,971.00	
Patricia Riley	\$19,896.00	\$19,896.00	
Sisters of Mercy 1075 Bermuda Drive Redlands, CA 92374	\$32,662.00	\$32,662.00	
Charles Dinsmore	\$315,286.79	\$315,286.79	
Reid Fischer/Vicki Flagg	\$104,892.00	\$104,892.00	
Julian and Nina Lopez	\$82,645.00	\$82,645.00	
Eileen Anderson	\$76,251.00	\$76,251.00	
<u>TOTALS:</u>	<u>\$ 903,330.79</u>	<u>\$ 903,330.79</u>	

☐ Restitution amount ordered pursuant to plea agreement \$ __

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ The interest requirement is waived for the ☐ fine ☒ restitution

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B-CAED (Rev. 3/04) Sheet 6 - Schedule of Payments

CASE NUMBER: 2:03CR00458-01 & 2:04CR00075-01

Judgment - Page 6 of 6

DEFENDANT: PATRICK J. SAHLI

☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

SCHEDULE OF PAYMENTS

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A** ☐ Lump sum payment of \$ ___ due immediately, balance due
- ☐ not later than ___, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ ___ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ ___ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within __ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

1 MCGREGOR W. SCOTT
United States Attorney
2 PATRICK K. HANLY
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2910

FILED

OCT 23 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY DEPUTY CLERK

5
6
7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. **C.R.S. 03-458 WBS**
11 Plaintiff,) VIOLATIONS: 18 U.S.C. § 1341 -
12 v.) Mail Fraud (2 Counts)
13 PATRICK J. SAHLI,)
14 Defendant.)

15
16 **I N D I C T M E N T**

17 **COUNTS ONE THROUGH TWO:** [18 U.S.C. §§ 1341 & 2 - Mail Fraud &
18 Aiding and Abetting]

19 The Grand Jury charges:

20 PATRICK J. SAHLI,
21 defendant herein, as follows:

22 **BACKGROUND**

23 At all times material herein:

24 1. PATRICK J. SAHLI, an individual, was a registered
25 securities dealer and registered investment advisor working for
26 Financial Group West in Santa Cruz, California.

27 2. Carmel Investment Advisors was a company owned and
28 operated by PATRICK J. SAHLI.

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U.S. District Court
Eastern District of California

By [Signature]
Deputy Clerk

Dated: 12/17/07

THE SCHEME TO DEFRAUD

3. Beginning on or about December 27, 2000, and continuing through on or about June 30, 2001, in the State and Eastern District of California and elsewhere, defendant SAHLI knowingly devised and intended to devise, and participated in, a scheme and artifice to defraud one of his clients out of money or property by means of materially false and fraudulent pretenses, representations and promises, and in connection therewith caused the United States mails to be used to wit: defendant SAHLI transferred and sold securities owned by his client without his knowledge or permission and then wrongfully converted the money he received from these sales for his own purposes.

WAYS AND MEANS

4. It was part of the scheme and artifice to defraud that defendant SAHLI wrote and signed fraudulent letters to himself purporting to authorize him to transfer some of his client's securities into the accounts of other clients of defendant SAHLI.

5. It was further part of the scheme and artifice to defraud that defendant SAHLI in fact transferred this client's securities without his knowledge or permission. These securities were transferred by defendant SAHLI into the accounts of other clients of defendant SAHLI.

6. It was further part of the scheme and artifice to defraud that once the securities were transferred by defendant SAHLI, he sold them and had Financial Group West cause checks to be sent to the clients into whose accounts the securities had been transferred.

7. It was further part of the scheme and artifice to defraud that defendant SAHLI then contacted whichever client into whose account the security had been transferred and stated that the transfer was an error and the check was in error, and then had those clients write a check to defendant SAHLI's company, Carmel Investment Advisors, in the amount of the proceeds from the sale of the security. Defendant SAHLI then deposited the checks he received pursuant to the aforementioned scheme into the account he maintained for Carmel Investment Advisors.

8. It was further part of the scheme and artifice to defraud that defendant SAHLI caused account statements to be sent to his victim - the person from whose account securities had been transferred - that showed only the transfer of securities and not the sale of these securities or the issuance of the check for said sale. This omission lulled defendant SAHLI's victim into thinking the transfers were in the normal course of business.

9. It was further part of the scheme and artifice to defraud that, when asked, defendant SAHLI told his victim that the transfers were in error.

THE MAILINGS

10. On or about the dates set forth below, in the Eastern District of California, for the purpose of executing and attempting to execute the aforementioned scheme and artifice set forth above, defendant SAHLI did knowingly cause to be delivered by the United States Postal Service or private or commercial interstate carrier, according to the directions thereon, to the locations set forth below, the documents and items specified as


1 follows:

2 <u>Count</u>	<u>Date</u>	<u>From</u>	<u>To</u>	<u>Contents of Mailing</u>
3 1	06/7/02 ^{P.B.}	Santa Cruz, California	Roseville, California	Account Statement
4 2	07/7/02 ^{P.B.} 01	Santa Cruz, California	Roseville, California	Account Statement

6 All in violation of Title 18, United States Code, Sections
7 1341 and 2.

8 A TRUE BILL.

9 
10 FOREPERSON

11 
12 MCGREGOR W. SCOTT
13 United States Attorney
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UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

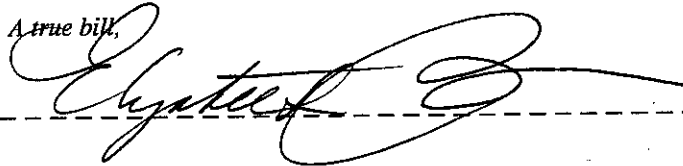
vs.

PATRICK J. SAHLI

INDICTMENT

VIOLATIONS: 18 U.S.C. § 1341 - Mail Fraud (2 Counts)

A true bill,



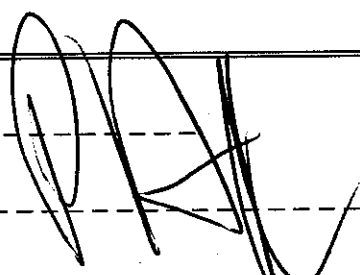
Foreman.

Filed in open court this 23rd day

of October, A.D. 20 03

Clerk.

Bail, \$ _____



No Bail Bench Warrant

GPO 863 525

CR.S. 03 - 458 WBS

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- ... U.S. DISTRICT COURT

BY

☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING INFORMATION ☐ SUPERSEDING

OFFENSE CHARGED

Mail Fraud (2 Counts)

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

Place of Offense: Roseville

USC Citations:

18 U.S.C. § 1341

Name of District Court, and/or Judge Magistrate Location (city)

**EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO, CALIFORNIA**

DEFENDANT -- U.S. vs.

Patrick J. Sahli

Address {

P.O. Box K1
Carmel, CA 93921

Birth Date

3/18/47

Male ☒ Female ☐ Alien (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

☐ this person is awaiting trial in another Federal or State Court, give name of court.

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceeding or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

MAGISTRATE
CASE NO.

Name and Office of Person
Furnishing information on

THIS FORM

Paul Artley

U.S. ☒ Other U.S.
Att'y Agency

Name of Asst. U.S. Att'y
(if assigned)

Patrick K. Hanly

DEFENDANT

IS NOT IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding if not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction ☐ Fed'l ☐ State

6) ☐ Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer
been filed?

Yes

If
"Yes"
give
date

☒ No

DATE OF
ARREST ▶

Mo. Day Year

Or ... if arresting Agency & Warrant were not Federal

DATE TRANSFERRED
TO U.S. CUSTODY ▶

Mo. Day Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

Bench Warrant - No Bail - Flight Risk

CR.S. 03 - 458 WBS

2255, CLOSED, PROB22_OUT

**U.S. District Court
Eastern District of California - Live System (Sacramento)
CRIMINAL DOCKET FOR CASE #: 2:03-cr-00458-WBS-GGH All Defendants
Internal Use Only**

Case title: USA v. Sahli

Date Filed: 10/23/2003

Date Terminated: 06/23/2004

Assigned to: Judge William B. Shubb
Referred to: Magistrate Judge Gregory
G. Hollows

Appeals court case number: '04-17548'
'Ninth Circuit'

Defendant

Patrick J Sahli (1)

TERMINATED: 06/23/2004

represented by **Patrick J Sahli**

14796-097

TCI

Taft Correctional Institution

PO Box 7001

Taft, CA 93268

PRO SE

Clyde M. Blackmon

Blackmon & Associates

813 Sixth Street, Suite 450

Sacramento, CA 95814

(916) 441-0824

Fax: (916) 441-0970

Email:

cblackmon@blackmonlawoffice.com

TERMINATED: 04/13/2005

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Hill Craig Snellings

Law Office of Hill C Snellings

86 Robbins Road

Lexington, MA 02421-5815

Email: hillsnellings@rcn.com

TERMINATED: 06/23/2004

LEAD ATTORNEY


ATTORNEY TO BE NOTICED

Designation: Retained

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U. S. District Court
Eastern District of California

By  Deputy Clerk

Dated 10/7/07

Pending Counts

18:1341.F MAIL FRAUD
(1-2)

Disposition

IMPRISONMENT of 37 mos on cts 1 and 2 concurrently to sentence imposed under CR. S-04-75; surrender date of 2:00 8/12/04; 36 mos TSR concurrently with CR. S-04-75; \$200 S/A; \$903,330.79 restitution, interest waived; fine waived; special conditions (see J and C); recommendation for CA institution

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Patrick Keith Hanly**
Law Offices of Patrick K. Hanly
400 Capitol Mall
Suite 963
Sacramento, CA 95814
916-449-3930
Fax: 916-449-8247
Email: pkh@patrickhanlylaw.com
LEAD ATTORNEY

Thomas Edwin Flynn
U.S. Attorney
Room 10-100
501 I Street
Sacramento, CA 95819
(916) 554-2727
Fax: (916) 554-2899
Email: usacae.ecfsacrm@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/23/2003	1	INDICTMENT by US Attorney Patrick Hanly Counts filed against Patrick J Sahli (1) count(s) 1-2 (sk) (Entered: 10/23/2003)
10/23/2003		ARREST Warrant issued for Patrick J Sahli by Magistrate Judge Peter A. Nowinski No Bail (sk) Modified on 10/23/2003 (Entered: 10/23/2003)
10/31/2003	2	NOTICE of hearing by Patrick J Sahli arraignment set for 2:00 11/3/03 for Patrick J Sahli (cc: all counsel) (old) (Entered: 10/31/2003)
11/03/2003	4	NOTICE TO DEFENDANT being released as to defendant Patrick J Sahli (mdp) (Entered: 11/04/2003)
11/03/2003	5	MINUTES before Magistrate Judge Dale A. Drozd RE: arraignment dft Patrick J Sahli arraigned; not guilty plea entered; Attorney Hill Craig Snellings present , status hearing set for 9:00 12/3/03 for Patrick J Sahli before the Honorable William B. Shubb ; Jury trial requested; Defendant ordered released on \$100,000.00 unsecured appearance bond co-signed by his parents James and Louise Sahli; Parent's co-signed signatures on unsecured appearance bond to be filed with the court by Thursday 11/06/03; WBS standing order regarding excludable time issue to parties; C/R Dona Euler, CD (mdp) (Entered: 11/04/2003)
11/04/2003	3	ORDER REGARDING EXCLUDABLE TIME by Judge William B. Shubb ordering that if the defense wishes a finding of excludable time, counsel for defendant shall prepare and file a written request for finding of excludable time; (See order for further details) (mdp) (Entered: 11/04/2003)
11/04/2003	6	ARREST Warrant returned executed as to Dft Patrick J Sahli defendant arrested on 11/3/03 (lm) (Entered: 11/05/2003)
11/05/2003	7	BOND (\$100,000.00/Unsecured appearance bond) by Patrick J Sahli (mdp) (Entered: 11/06/2003)
11/13/2003		LODGED stip, request and proposed order for exclusion of time and affidavit in support by defendant Patrick J Sahli (crf) (Entered: 11/14/2003)
11/17/2003	8	STIPULATION AND ORDER by Judge William B Shubb ORDERING that the request for exclusion of time is GRANTED; Excludable T4 started for Patrick J Sahli start date: 11/3/03 end date: 12/3/03 (cc: all counsel) - (lm) (Entered: 11/17/2003)
12/03/2003	9	STIPULATION AND ORDER by Judge William B. Shubb status hearing CONTINUED to 9:00 1/7/04 for Patrick J Sahli , T2 and T4 started for Patrick J Sahli start date: 12/03/03 end date: 01/07/04 (cc: all counsel) - (sk) (Entered: 12/03/2003)
01/06/2004		LODGED Stipulation to Continue Status Conference and for Exclusion of time by Dft Patrick Sahli, Pltf USA (lm) (Entered: 01/07/2004)

01/06/2004		LODGED Waiver of Personal Appearance by Dft Patrick J Sahli (lm) (Entered: 01/07/2004)
01/07/2004	<u>10</u>	STIPULATION AND ORDER by Judge William B Shubb ORDERING that The Status Conference of 1/7/04 is CONTINUED to 9:00 2/4/04 for Patrick J Sahli ; Excludable T4 started for Patrick J Sahli start date: 1/7/04 end date: 2/4/04 (cc: all counsel) - (lm) (Entered: 01/07/2004)
01/09/2004	<u>11</u>	ORDER by Judge William B Shubb that Dft's Waiver of Personal Appearance is GRANTED; Dft waives his right to be present in person in open court upon the hrg of any Motion or other proceeding in this case; Dft request the Court to proceed during every absence of his which the Court may permit pursuant to this waiver and to be present in person in court ready for trial on any day which the court may fix in his absence (cc: all counsel) (lm) (Entered: 01/09/2004)
02/03/2004	<u>12</u>	STIPULATION AND ORDER by Judge William B. Shubb ORDERING that dft's request for continuance and excludable time is GRANTED; status conference CONTINUED to 9:00 2/18/04 for Patrick J Sahli , T4 started for Patrick J Sahli start date: 2/4/04 end date: 2/18/04 (cc: all counsel) - (crf) (Entered: 02/03/2004)
02/17/2004		LODGED Stipulation Continuing Staus Conference; Request for exlusion of time; affidavit in support of Stipulation and request for exclusion of time; by Dft, Pltf (lm) (Entered: 02/18/2004)
02/18/2004	<u>13</u>	STIPULATION AND ORDER by Judge William B Shubb Status Conference CONTINUED from 2/18/04 to 9:00 3/10/04 for Patrick J Sahli ; Excludable T4 started for Patrick J Sahli start date: 2/18/04 end date: 3/10/04 (cc: all counsel) - (lm) (Entered: 02/18/2004)
03/08/2004	<u>14</u>	NOTICE by Pltf USA of related case(s) CR S-04-075 GEB (lm) (Entered: 03/09/2004)
03/09/2004		LODGED Stipulation Continuing Status Conference; Request for Exclusion of time; Affidavit in support of Stipulation and Request for Exclusion of time by Dft and Pltf (lm) (Entered: 03/10/2004)
03/10/2004	<u>15</u>	STIPULATION AND ORDER by Judge William B Shubb Status Conference is CONTINUED from 3/10/04 to 9:00 3/17/04 for Patrick J Sahli ; Excludable T4 started for Patrick J Sahli start date: 3/10/04 end date: 3/17/04 (cc: all counsel) - (lm) (Entered: 03/10/2004)
03/11/2004	<u>16</u>	RELATED CASE ORDER by Judge William B Shubb ORDERING that the Action denominated CR S-04-0075 GEB is REASSIGNED to William B Shubb for all further proceedings; The Captions on all documents filed in the reassigned case shall be shown as CR S-04-0075 WBS and any dates currently set in this reassigned case only are VACATED (cc: all counsel) (lm) (Entered: 03/11/2004)
03/17/2004	<u>17</u>	MINUTES before Judge William B. Shubb; dft present and released on bail; guilty plea entered by Patrick J Sahli (1) count(s) 1-2 , dft waives indictment; dft to remain on pretrial release pending judgment and

		sentencing; PSR ordered; sentencing hearing SET for 9:00 6/2/04 for Patrick J Sahli ; appearances by Pat Hanley for AUSA and Hill Snellings for dft; C/R K. O'Halloran (daw) (Entered: 03/18/2004)
03/17/2004	18	SCHEDULE FOR DISCLOSURE OF PSR as to defendant Patrick J Sahli; judgment set for 6/2/04 (daw) (Entered: 03/18/2004)
03/17/2004	19	WAIVER of indictment by defendant Patrick J Sahli (daw) (Entered: 03/18/2004)
03/17/2004	20	PLEA Agreement as to Patrick J Sahli (daw) (Entered: 03/18/2004)
05/10/2004	21	NOTICE of hearing by Probation Officer, approved by CRD Sentencing hearing CONTINUED from 6/2/04 to 9:00 6/23/04 for Patrick J Sahli (lm) (Entered: 05/11/2004)
06/15/2004	22	REQUEST by Deua Sahli for Exoneration of Bond upon sentencing of Dft Patrick J Sahli (lm) Modified on 06/16/2004 (Entered: 06/16/2004)
06/15/2004	23	REQUEST by Louise Sahli for Exoneration of Bond upon sentencing of Dft Patrick J Sahli (lm) (Entered: 06/16/2004)
06/16/2004	24	SENTENCING memorandum regarding Patrick J Sahli and Objections to PSR (lm) (Entered: 06/17/2004)
06/22/2004	25	Govt's SENTENCING memorandum regarding Patrick J Sahli (daw) (Entered: 06/23/2004)
06/23/2004	26	MINUTES before Judge William B. Shubb; dft present and released on bail; sentencing Patrick J Sahli (1) count(s) 1-2 to IMPRISONMENT of 37 mos on cts 1 and 2 concurrently to sentence imposed under CR. S-04-75; surrender date of 2:00 8/12/04; 36 mos TSR concurrently CR. S-04-75; \$200 S/A; \$903,330.79 restitution, interest waived; fine waived; special conditions (see J and C); recommendation for CA institution ; appeal rights given and waived; terminating defendant Patrick J Sahli, case terminated ; appearances by Pat Hanley for AUSA and Hill Snellings for dft; C/R K. O'Halloran (daw) (Entered: 06/24/2004)
07/01/2004	27	JUDGMENT and Commitment issued as to Patrick J Sahli by Judge William B. Shubb (lm) Modified on 07/07/2004 (Entered: 07/02/2004)
07/01/2004	28	NOTICE by counsel for Dft Patrick J Sahli of change of Name to Blackmon & Associates Hall of Justice 813 Sixth Street Suite 450 Sacramento CA 95814 (lm) (Entered: 07/02/2004)
08/20/2004	29	JUDGMENT and Commitment returned executed on 8/12/04 as to Patrick J Sahli; Dft V/S to TCI-SCP at Taft CA (lm) (Entered: 08/23/2004)
08/25/2004	30	NOTICE OF MOTION AND MOTION For Appointment of Counsel by Dft Patrick J Sahli (lm) (Entered: 08/26/2004)
08/25/2004	31	NOTICE OF MOTION AND MOTION pursuant to 28:2255 by Dtf Patrick J Sahli (lm) (Entered: 08/26/2004)

08/31/2004	32	LETTER case referred to Magistrate Judge Gregory G. Hollows (sk) (Entered: 08/31/2004)
09/27/2004	33	ORDER AND FINDINGS AND RECOMMENDATIONS by Magistrate Judge Gregory G. Hollows ORDERING the motion For Appointment of Counsel by Dft Patrick J Sahli [30-1] DENIED; The Clerk to serve a copy of this order and the findings and recommendations upon the US Attorney; FINDINGS AND RECOMMENDATIONS recommending that the 8/25/04 motion to vacate, set aside or correct movant's sentence be summarily dismissed; REFERRED BACK to the Honorable William B. Shubb (cc: all counsel) (nac) (Entered: 09/27/2004)
10/15/2004	34	OBJECTIONS by defendant Patrick J Sahli to F&Rs [33-1] (pw) (Entered: 10/18/2004)
10/28/2004	35	ORDER by Judge William B Shubb ORDERING that the FINDINGS AND RECOMMENDATIONS filed 9/27/04 [33-1] are ADOPTED in full; The 8/25/04 Motion to vacated, set aside, or correct movant's sentence pursuant to 28:2255 [31-1] is summarily DISMISSED; The Clerk of the Court is directed to close the companion civil case No CIV S-04-1763 WBS GGH P (cc: all counsel) (lm) (Entered: 10/28/2004)
11/09/2004	36	NOTICE of Appeal to 9th Circuit by defendant Patrick J Sahli regarding order [35-1] (fee status: IFP Pending) (crf) (Entered: 11/12/2004)
11/30/2004	37	ORDER by Judge William B. Shubb re appeal [36-1] ORDERING that certificate of appealability is issued in this matter (cc: all counsel) (daw) (Entered: 11/30/2004)
12/01/2004	38	MAILED case information/docket fee payment notice, copy of Notice of Appeal and appealed 7/1/04 judgment [27-1] to 9th Circuit Court of Appeals, copy of appeal and docket sheet to all parties (crf) (Entered: 12/01/2004)
12/01/2004	39	CERTIFICATE of Record Transmitted to 9th Circuit regarding [36-1] (crf) (Entered: 12/01/2004)
12/30/2004	40	USCA CASE NUMBER as to Patrick J Sahli 04-17548 for [36] Notice of Appeal (CR) filed by Patrick J Sahli. (Marcotte, D) (Entered: 01/02/2005)
02/22/2005	41	RECEIPT of appeal fee of \$255.00 by Rosalinda Healy as to Patrick J Sahli re [36] Notice of Appeal (CR). Receipt #205 8087. Notice of fee paid will be sent to USCA by clerk. (TEXT ONLY ENTRY) (Waggoner, D) (Entered: 02/23/2005)
04/08/2005	40	(TEXT ONLY, NO IMAGE ATTACHED) TRANSCRIPT of Judgment and Sentence as to Patrick J Sahli held on 06/23/04 before Judge William B. Shubb. Court Reporter: Kelly O'Halloran. (Mena-Sanchez, L) (Entered: 04/11/2005)
04/08/2005	41	TRANSCRIPT of Entry of Guilty Plea as to Patrick J Sahli held on 03/17/04 before Judge William B. Shubb. Court Reporter: Kelly O'Halloran. (Mena-Sanchez, L) (Entered: 04/11/2005)

04/13/2005	<u>42</u>	ORDER as to Patrick J Sahli re [31] Motion pursuant to 28:2255 filed by Patrick J Sahli, <u>35</u> and filed 2:04cr75 WBS signed by Judge Peter A. Nowinski on 4/11/2005. (Reader, L) (Entered: 04/13/2005)
06/27/2005	<u>43</u>	CERTIFIED and TRANSMITTED RECORD on APPEAL as to Patrick J Sahli to US Court of Appeals re [36] Notice of Appeal (CR). (Mena-Sanchez, L) (Entered: 06/27/2005)
07/01/2005	<u>44</u>	MOTION to SUBSTITUTE ATTORNEY by USA as to Patrick J Sahli. (Flynn, Thomas) (Entered: 07/01/2005)
07/01/2005		(Court only) ***MOTIONS TERMINATED as to Patrick J Sahli: <u>44</u> MOTION to SUBSTITUTE ATTORNEY filed by USA,. (Duong, D) (Entered: 07/05/2005)
07/05/2005	<u>45</u>	CERTIFICATE of SERVICE by USA as to Patrick J Sahli (Flynn, Thomas) (Entered: 07/05/2005)
12/13/2005	<u>46</u>	USCA JUDGMENT as to [36] Notice of Appeal (CR) filed by petitioner Patrick J. Sahli: decision of District Court is AFFIRMED. (Marciel, M) (Entered: 12/14/2005)
11/06/2006	<u>47</u>	APPEAL RECORD RETURNED (Vol 1 and EX 001) from USCA No. 04-17548 re: [36] Notice of Appeal. [TEXT ONLY, NO IMAGE ATTACHED]. (Mena-Sanchez, L) (Entered: 11/06/2006)
12/05/2007	<u>48</u>	PROBATION JURISDICTION (PROBATION 22 Out) TRANSFERRED to Northern District of CA as to Patrick J Sahli. Signed by Judge William B. Shubb on 10/17/07. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. DEFENDANT TERMINATED. CASE CLOSED. (Carlos, K) (Entered: 12/06/2007)
12/07/2007	<u>49</u>	TRANSMITTAL of DOCUMENTS to USDC Northern District for Probation 22. (Carlos, K) (Entered: 12/07/2007)